

NEW JERSEY STATE BOARD OF NURSING
MINUTES
OPEN BUSINESS MEETING
MARCH 7, 2014

A meeting of the New Jersey State Board of Nursing was held on March 7, 2014 in the Somerset Conference Room, 6th Floor, 124 Halsey Street, Newark, New Jersey. Patricia Murphy, Board President, called the meeting to order at 1:00 p.m.

ROLL CALL

BOARD MEMBERS PRESENT:

Saundra Austin-Benn
Theresa Beck
Noreen D'Angelo
Joni Jones

Patricia Murphy
Luz Ramos
Therese Steinhardt

BOARD MEMBERS NOT PRESENT:

Avery Hart
Constance Wilson

ALSO PRESENT:

George J. Hebert, Executive Director
Olga Bradford, Deputy Attorney General
Charles Manning, Regulatory Analyst (to discuss regulation amendments)
Margaret Howard, Nursing Education Consultant
Mary Johansen, Nursing Consultant
Diane Scott, Administrative Staff

A QUORUM WAS PRESENT

In accordance with Chapter 231 of P.L. 1975, more commonly referred to as the Sunshine Law, adequate notice of this meeting was provided by mailing on December 12, 2013. A schedule of all 2014 Regular Open Board Meetings to be held during 2014 was provided to the Office of the Secretary of State, Star Ledger, Trenton Times, The New York Times, Camden Courier Post and The Philadelphia Inquirer. The schedule has also been posted on the Bulletin Board at the New Jersey State Board of Nursing Office.

AGENDA:

Open Regular Board Meeting Agenda of March 7, 2014: Reading and Approval:

After discussion, the Board upon a motion made by Luz Ramos and duly seconded by Therese Steinhardt voted to approve the March 7, 2014 Regular Board meeting agenda. The motion carried.

MINUTES:

Open Business Meeting Minutes of December 6, 2013: Reading and Approval:

After discussion, the Board upon a motion made by Therese Beck and duly seconded by Connie Wilson voted to approve the December 6, 2013 Regular Board meeting minutes. The motion carried.

REPORT OF THE BOARD PRESIDENT – PATRICIA A. MURPHY, Ph.D.:

Patricia Murphy reported:

No report.

REPORT OF THE EXECUTIVE DIRECTOR – GEORGE J. HEBERT:

George Hebert reported:

- NCSBN Meetings – George Hebert attended several meetings with NCSBN to discuss the concept of compact licensing. Some states still do not require criminal history background checks because their legislatures refuse to pass legislation requiring background checks. The NCSBN Member Boards however have been discussing alternative ways to address the background check requirement to be required by the compact licensure model. The NCSBN Member Boards are also discussing implementation of the APRN Consensus Model that would enable APNs to cross boarders for licensure.
- Budget Report – Darlene Kane, Budget Analyst, Division of Consumer Affairs met with the Board to discuss the Fiscal Year 2013 Budget Report. Ms. Kane provided a detailed overview of the cost associated with running the daily operations of the Board of Nursing.
- The Board has made an attempt to address the matter of Health Care Service Firms and to look at the nursing role within these agencies. The Board met with the Director's office of the Division of Consumer Affairs and members of the community to draft the Best Practice Document outlining the responsibilities that agencies have for adequate RN coverage and for RNs to assume appropriate clinical leadership roles in these venues.
- CHHA Update – The Board is looking at ways to streamline the processing of applications. On April 1, 2014 CHHA applicants will be allowed to submit applications for certification directly to the Board.

- 2014 RN/LPN Renewal – Renewal notices will go out this month with new requirement of organ donation CEU.

INFORMATIONAL PURPOSES:

1. 2012 Data - Annual APRN Survey Critique Report
2. 2012/2013 – Legislative Affairs Report of Pamphlet Laws
3. November 26, 2013 – News Release; CGFNS International Board of Trustees Elects Officers and Members.
4. December 19, 2013 – News Release; CGFNS International Co-Authors “Perceptions of Employment-Based Discrimination among Newly Arrived Foreign-Educated Nurses” in American Journal of Nursing.
5. January 23, 2014 – Letter from Jo Anna Hamilton, RN, Community Access Unlimited, regarding delegation of selected nursing tasks involving insulin injections.
6. February 14, 2014 – Memo from COA regarding COA Report of Actions.
7. February 20, 2014 – Letter from Myra Broadway, JD, MS, RN, President, NCSBN, regarding highlights from the Feb 12-14, 2014 Board of Directors meeting.

COMMITTEE REPORTS:

1. LEGISLATION COMMITTEE:

The Board was asked to review and provide comments to the following bills:

- Assembly Bill 1233 – establishes nursing student support program. **The Board voted to support this bill.**
- Assembly Bill 1254 – requires certain civil actions against certain license persons to be brought within two years. **The Board voted to be neutral on this bill.**
- Assembly Bill 1436 – establishes Statewide Opioid Law Enforcement Coordinating Task Force. **The Board voted to support this bill.**
- Assembly Bill – requires public body to publish notice of public meeting on official Internet website. **The Board voted to support this bill.**
- Senate Bill 681 – provides for issuance of certificate of rehabilitation to certain offenders with substance abuse disorders. **The Board voted not to support this bill.**
- Senate Bill 870 – Consumer Access to Health Care Act; eliminates requirement of joint protocol with physician for advanced practice nurses to prescribe medication and devices. **The Board voted to support this bill.**

2. REGULATION COMMITTEE:

Theresa Beck reported on the following:

January 10, 2014 Report.

1. FN-CSA Education programs.

The Committee reviewed and discussed amendments to N.J.A.C. 13:37-9.5 recommended by the Department of Justice, which administers the forensic nurse examiners program. The Department requested that N.J.A.C. 13:37-9.5 be amended so that the rule no longer set forth the curriculum for forensic nursing programs and instead require that such programs be accredited by the International Association of Forensic Nurses' Sexual Assault Nurse Examiner Education. **The Committee agreed with amending the regulations as recommended by the Department, but is waiting for further clarification from the Department as to its recommendations before voting to amend the rule.**

2. Eligibility requirements.

The Committee reviewed and discussed amendments to N.J.A.C. 13:37-2.1 and 7.2 that would require an applicant to have completed his or her education and the examination required for licensure or certification no more than two years prior to submitting an application for licensure or certification. An applicant who seeks a license or certification after the end of this two year period would be required to take a 30 hour refresher course. **The Committee recommends Board approval of the proposed amendments.**

3. APN scope of practice.

The Committee reviewed and discussed amendments to N.J.A.C. 13:37-7.12 that would require an advanced practice nurse to limit his or her practice to the area of specialization in which he or she received his or her education. **The Committee agreed that an advanced practice nurse should practice in a manner that is consistent with his or her education, but decided that, given the changing nature of advanced practice nursing, it would not be appropriate to adopt a rule imposing this requirement at this time.**

4. Mandatory reporting.

The Committee reviewed and discussed amendments to N.J.A.C. 13:37-5.8 that would recognize that N.J.A.C. 13:45E-3.2 requires a licensee or certificant in possession of information which reasonably indicates that another licensee, certificant or other health care professional has demonstrated an impairment, gross incompetence or unprofessional conduct to file a report with the Division of Consumer Affairs Health Care Professional Information Clearing House Coordinator and the Board. **The Committee recommends Board approval of the proposed amendments.**

5. APN corporate practice.

The Committee reviewed and discussed new draft rules that would establish permissible practice structures for advanced practice nurses. The draft rules would have prohibited an advanced practice nurse from being an employee except in limited circumstances, which is not reflective of the field of advanced practice nursing. **The Committee requested that the draft rules be revised to recognize that advanced practice nurses are regularly employed by other health care practitioners.**

6. APN professional conduct rules

The Committee decided to table this discussion until the next Committee meeting.

7. Temporary courtesy license

The Committee reviewed and discussed amendments to N.J.A.C. 13:37-4.3 which would permit an applicant to obtain a temporary courtesy license pursuant to P.L. 2012, c. 76 if he or she is the spouse of an active duty member of the Armed Forces of the United State. **The Committee recommends Board approval of the proposed amendments.**

8. P.L. 2013

The Board reviewed P.L. 2013, c. 174 at the meeting. That law requires the Board to encourage schools of nursing to consider granting a student credit toward a nursing degree for training and experience as a Naval Corpsman or Army Medic. The Board stated that, according to the law, it encouraged nursing schools to consider granting credit for such military service.

9. Responsibilities of Licensure

The filing deadline for N.J.A.C. 13:37-5.6 was missed and this matter will come back before the Board at a later date.

After discussion, the Board upon a motion made by Therese Beck and duly seconded by Connie Wilson voted to approve the January 10, 2014 Regulation Committee Report. The motion carried.

3. EDUCATION COMMITTEE:

Therese Steinhardt reported on the following:

Session I – February 7, 2014

1. Session I Correspondence:

- a. August 22, 2013 – Letter from Sahr B. Marrah, RN, MSN, Director of Operations, Sierra Allied Health Academy Re: the development of a plan of corrective action.
- b. August 28, 2013 – Letter from Dr. Alvin Williams, Acting Dean of STEM and Health Sciences, Essex County College. Re: the new academic team of the Division of Nursing and Allied Health.
- c. September 6, 2013 – Letter from Joan M. Baillie, President, Salem Community College. Re: Resignation of Michelle O’Neal as Director of Nursing effective August 30, 2013. In the

- interim Mr. McGlade will continue to serve as Director of Nursing until a replacement is found.
- d. October 7, 2013 – Letter from Vilaire C. Duroseau, BS, MS, Program Director, Center for Advanced Training and Studies. Re: Ms. Pamela Parker, BS, CNS, MS has replaced Ms. Rosaire B. Laine, BS, MS, APN-C as the Administrator of the School. **The Committee requested that a letter be sent to the school requesting CV for Ms. Pamela Parker, BS, CNS, MS.**
 - e. October 10, 2013 – Letter from Ellen Boddie, RN, BS, MSHA, MSN, CM, Director, NCC School of Practical Nursing. Re: the loss of accreditation for NCC School of Practical Nursing with the Workforce Development Center.
 - f. October 11, 2013 – Letter from Robert A. Mintz, Attorney for Eastwick College. Re: Pursuant to the Final Order of Probation and Denial of Accreditation, Eastwick has provided a list of all students currently enrolled in the program.
 - g. October 18, 2013 – Letter from Robert Grimmie, Director, Department of Labor and Workforce Development. Re: Certificate of Approval for New Community Workforce Development Center as a Private Vocational School. **The Committee requested that a letter be sent to the school requesting a list of all students currently enrolled in the program.**
 - h. October 23, 2013 – Letter from Tracey Malast, RN, MSN, Interim, Chief Nursing Officer, Robert Wood Johnson University Hospital. Re: A change in the Chief Nursing Officer and contact information.
 - i. October 24, 2013, 2013 – Letter from Press Release from CCNE. Re: CCNE Board of Commissioners Elects New Officers.
 - j. November 13, 2013 – Letter from Betty Coughlin, Division Director, Federal Student Aid/US Department of Education. Re: An on-site Program Review for Jersey College.
 - k. November 19, 2013 – Letter from Lisa M. Easterby, DNP, RN, CNE, Dean, Our Lady of Lourdes School of Nursing. Re: Our Lady of Lourdes School of Nursing is now CHE-Trinity.
 - l. November 21, 2013 – Letter from Joan M. Baillie, President, Salem Community College. Re: effective November 18, 2013, Charles McGlade has been appointed as Director of Nursing.
 - m. November 22, 2013 – Letter from Dr. Evadne A. Harrison-Madu, Acting Chairperson, Nursing and Allied Health, Essex County College. Re: Course Substitutions within the general education requirements of the Associate in Applied Science in Nursing degree program.
 - n. December 2, 2013 – A Message from NCSBN. Re: NCLEX Program going paperless in 2014.
 - o. December 12, 2013 – NCLEX Communication. Re: NCSBN Raises the Passing Standard for the NCLEX-PN Examination.
 - p. December 16, 2013 – Letter from Dr. Evadne A. Harrison-Madu, Acting Chairperson of Nursing and Allied Health, Essex County College Re: Effective January 2, 2014 Professor Majuvy Sulse has been appointed as Program Administrator.
 - q. December 2013 – ICNM News. Re: ICN Forum: Nurse Staffing Cuts a Risk to Patient, Society
 - r. December 27, 2013 – Letter from Elizabeth Coughlin, Area Case Director, School Participation Team, NE, United State Department of Education/Federal Student Aid. Re: Approved to participate in Federal Student Financial Aid Program.

- s. January 17, 2014 – CGFNS Communications – Time Sensitive Information. Re: Fraudulent documents for verification and certification from the Republic of Haiti.

2. Self-Study
 - a. Cumberland County College - **The Committee recommends approval of continued accreditation for Cumberland County College.**
 - b. Atlantic Cape Community College - **The Committee recommends approval of continued accreditation for Atlantic Cape Community College.**
3. New Program
 - a. Monmouth University – Generic BSN - **The Committee recommends provisional accreditation for Monmouth University Generic BSN program.**
4. Curriculum Change
 - a. St. Francis Medical Center School of Nursing - **The Committee recommends approval of curriculum change for St. Francis Medical Center School of Nursing.**
 - b. Essex County College - **The Committee recommends approval of curriculum change for Essex County College.**
5. Corrective Action Plan:
 - a. Sierra Allied Health Academy - **The Committee recommends denial of the corrective action plan for Sierra Allied Health Academy as presented.**
 - b. New Community - **The Committee recommends denial of the corrective action plan for New Community as presented. A letter will be sent to the school requesting a list of all students currently enrolled in the program.**
6. Site Visit
 - a. Seton Hall - MSN Clinical Nurse Leadership Program and BSN Program - **The Committee recommends continued accreditation for the MSN Clinical Nurse Leadership program and the BSN program.**

After discussion, the Board upon a motion made by Therese Steinhardt and duly seconded by Connie Wilson voted to approve the report of the Education Committee. The motion carried.

OPEN FORUM:

Patricia Murphy asked the public to share with the Board of Nursing any concerns, issues or questions:

- 1) Female commenter – expressed concerns on missed deadlines on proposed rules.
- 2) Female commenter – would like to obtain more information about the Board meetings.

After discussion, the Board upon a motion made by Therese Steinhardt and duly seconded by Noreen D’Angelo voted to go into closed session to discuss complaints against nursing programs. The motion carried.

ADJOURNMENT:

On March 7, 2014 the Regular Open Board Meeting was adjourned at 3:15 p.m. The next Regular Board Meeting will be held on June 6, 2014.

Respectfully Submitted,

Patricia A. Murphy
Board President